

10-31-03

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Docket No.: HO-P02682US1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Patent Application of:  
Orla M. Conneely, et al.**

Application No.: 10/620,256

Confirmation No.:

Filed: July 15, 2003

Art Unit: N/A

For: PRODUCTION OF RECOMBINANT  
LACTOFERRIN AND LACTORFERRIN  
POLYPEPTIDES USING cDNA  
SEQUENCES IN VARIOUS ORGANISMS

Examiner: Not Yet Assigned

## **INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

The patent(s) or publications in the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in a prior application No. 09/633,739 filed August 7, 2000 and relied upon in this application for an earlier filing date under 35 U.S.C. 371.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

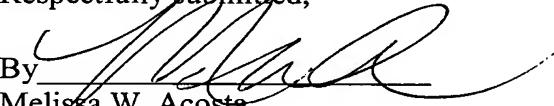
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. 10211634.

Dated: October 30, 2003

Respectfully submitted,

By

  
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				Application Number	10/620,256
				Filing Date	July 15, 2003
				First Named Inventor	Orla M. Conneely
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	HO-P02682US1

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA	US - 4289690	Sept. 1981	Pestka et al.		
AB	US - 4394443	July 1983	Weisman et al.		
AC	US - 4668771	May 1987	Kawakami et al.		
AD	US - 4726948	Feb. 1988	Prieels et al.		
AE	US - 4800159	Jan 1989	Mullis et al.		
AF	US - 5571691	Nov. 1996	Conneely et al.		
AG	US - 6100054	Aug. 2000	Conneely et al.		

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
BA	JP 6016669		Aug. 1985		
BB	WO 07838		Dec. 1987		

**\*EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609. DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT**

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
CA	Anderson, "Structure of human lactoferrin at 3.2-A resolution," Proc. Nat'l Acad. Sci. USA, 84:1769-1773 (1987).				
CB	Ambruso and Johnston, "Lactoferrin enhances hydroxyl radical production by human neutrophils, neutrophil particulate fractions, and an enzymatic generating system," J. Clin. Invest., 67:352-360 (1987).				
CC	Broxmeyer, "Potential therapeutic usefulness of lactoferrin in leukemia," Nestle Research News, 93 (1984/85).				
CD	Metz-Boutigue, et al., "Human lactotransferrin: amino acid sequence and structural comparisons with other transferrins," Eur. J. Biochem., 145:659-676 (1984).				
CE	Montreuil et al., "Human lactotransferrin : structure and function," Proteins, Elsevier Sci. Publs., pp. 25-38 (1985).				
CF	Pentecost and Teng, "Lactotransferrin is the major estrogen inducible protein of mouse uterine secretions," J. Biol. Chem., 262U(21):10134-10139 (1987).				
CG	Rado, et al., "Isolation of lactoferrin cDNA from a human myeloid library and expression of				

Examiner Signature	Date Considered
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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/620,256
Sheet	2	of	1	Filing Date	July 15, 2003
				First Named Inventor	Orla M. Conneely
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	HO-P02682US1

		mRNA during normal and leukemic myelopoiesis", Blood, 70(4):989-993 (1987).	
	CH	Reiter, "Protective proteins in milk--biological significance and exploitation," Int'l Dairy Fed., Bulletin No. 191 (1985).	
	CI	Sawatzki, "The role of iron-binding proteins in bacterial infections," Iron Transport in Microbes, Plants and Animals, edited by G. Winkelmann et al., pp. 478-488.	
	CJ	Spik, et al., "Characterization and properties of the human and bovine lactotransferrins extracted from the faeces of newborn infants," Acta Poediatr Scand., 71:979-985 (1982).	
	CK	Tenovuo et al., "Antimicrobial factors in whole saliva of human infants," Infection and Immunity, 51(1):49-53 (1986).	
	CL	Theil and Aisen, "The storage and transport of iron in animal cells", Iron Transport in Microbes, Plants and Animals, edited by G. Winkelmann et al., pp. 491-520 (1987).	
	CM	Wang, et al. 1984, Comp. Biochem. Physiol., 78B(3):575-580 (abstract).	
	CN	Yahubovskaya et al. 1986, Vopr. Med. Khim 32(6):75-70 (abstract).	
	CO	Zang, et al. 1984, Proc. Natl. and Sci. 81:2752-2756.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 10/620,256

Attorney Docket No.: HO-P02682US1

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*Staci V. Harris*

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IDS (Citation) by Applicant